IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE FOURTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE THE ACTING CHIEF BILAL NAZKI

and
THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 6945 of 2005

Between:

1 Palepu Venkata Seshaiah S/o. Sudarsanam,
R/o. Vutukuru Village, Vidavaluru Mandal, Nellore District.
2 Gundapu Krishna Murhty S/o. Ramana Reddy
R/o. Vutukuru Village, Vidavaluru Mandal, Nellore District.

..... PETITIONERS

AND

1 The District Collector, Nellore District, Nellore.
2 The Mandal Revenue Officer, Vidavaluru Mandal, Nellore District.
3 The Executive Engineer, Pollution Control Board, Ak. Nagar, Nellore.
4 Biradavolu Venka Reddy S/o. Late Ramana Reddy
R/o. Vutukuru Villlage, Vidavaluru Mandal, Nellore District.
5 Ramireddy Ramachandra reddy S/o/. Latcha Reddy,
R/o. Vutukuru Villlage, Vidavaluru Mandal, Nellore District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of writ of Mandamus declaring the in action of the respondents 1 to 3 against respondents 4 & 5 in taking steps for closure of their prawn culture ponds being processed by respondents 4 & 5 without permission from the competent authority for conversion of agricultural lands into prawn culture ponds in an extent of Ac. 4-00 cts of 4th respondent in S.Nos. 547, 548-A, 531-A, 530-B,524-BA, 530-A; and Ac. 3-00 cts in

S.Nos. 524-B, 524-C, 1215 & 1216-C ; and Ac. 3-50 cts of 5th respondent in S.Nos. 394, 395 & 396 situated at Vutukuru Village of Vidavaluru Mandal, Nellore District despite the representation of the petitioners dt. 18-2-2005 as illegal, arbitrary and unjust and in violation of the provisions of Environment Protection Act, A.P. Board Standing Orders,. A.P. Revenue Laws and the judgments of the Hon'ble Apex Court and this Hon'ble Court in Number of writ petitions and Art. 14 & 21 of Constitution of India and pass such other orders and further reliefs and consequently direct the respondents 1 to 3 to take steps to close the prawn culture ponds of respondents 4 & 5 as mentioned above and pass such other orders and further reliefs as the Hon'ble Court deems fit and proper in the interest of justice.

Counsel for the Petitioner:MR.M.VENKATA NARAYANA

Counsel for the Respondents No.1 and 2 : GP FOR REVENUE

Counsel for the Respondent No.3 : S.V.Bhutt (SC FOR A.P.POLLUTION CONTROL BOARD)

Counsel for Respondents No.4 & 5 : None appeared.

The Court made the following :

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ORDER : (Per Hon'ble Bilal Nazki, HACJ)

The grievance of the petitioners is that respondents No.4 and 5 have started prawn culture ponds in the area without necessary permissions from the competent authorities. They had represented to respondents No.1 to 3, who have not taken any action so far. The writ petition is being disposed of with a direction to respondents No.1 to 3 to consider the representation of the petitioners and pass appropriate orders within eight weeks from today, if the representation is pending before them. No order as to costs.

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BILAL NAZKI, HACJ

4th April 2005.

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Dr. G.YETHIRAJULU, J

ajr

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The District Collector, Nellore District, Nellore.
2 The Mandal Revenue Officer, Vidavaluru Mandal, Nellore District.
3 Two C.Cs. to the Advocate General, High Court of A.P., Hyderabad

(O.U.T).

4 Two C.D. copies.

*Form-NIC-OGS/WP{**VSMI**}*